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9-10-2007

Vol. 33, No. 02 (September 10, 2007)

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### Recommended Citation

"Vol. 33, No. 02 (September 10, 2007)" (2007). *Indiana Law Annotated*. Paper 313.  
<http://www.repository.law.indiana.edu/ila/313>

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# Indiana Law Annotated

*Vol. 33 No. 2 (September 10, 2007)*

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## THIS WEEK IN THE LAW SCHOOL

On Wednesday, Sept. 12, University of Oxford Professor Jonathan Herring will give a public lecture titled "Entering the Fog: On the Borderlines of Mental Capacity." It will be held at noon in the Moot Court Room. A reception will follow in the Faculty Lounge. Herring, whose research addresses criminal, family, and medical law issues, is on campus as Indiana Law's 2007 George P. Smith, II Distinguished Visiting Professor Chair through Saturday, Sept. 15.

## MONDAY, SEPTEMBER 10

### FLF Hosts Meeting

The Feminist Law Forum (FLF) will have its first meeting of the year at noon in room 124. FLF is a social and political organization devoted to gender equity and to improving the Indiana Law Community through raising awareness about gender inequity in various aspects of the law. Everyone is welcome to attend; bagels will be served.

## TUESDAY, SEPTEMBER 11

### Health Law Society Call-Out Meeting

The Health Law Society (HLS) will hold its first meeting of the year at noon in room 124. New and existing members are welcome! Dues for the year are \$10, please bring this to the meeting. We are planning several great events and projects this year and we hope you will want to get involved! Lunch (not pizza) will be provided.

## **PDP Hosts First General Meeting**

Phi Delta Phi, the oldest legal professional fraternity in Indiana, will be holding its first general meeting from 12:15 p.m. until 1 p.m. All current members and prospective members are invited to attend. The room location and more information will be posted outside the library when it becomes available.

## **WEDNESDAY, SEPTEMBER 12**

### **Herring to Present Smith Lecture**

University of Oxford Professor Jonathan Herring will give a public lecture, "Entering the Fog: On the Borderlines of Mental Capacity," is at noon in the Moot Court Room. A reception will follow in the Faculty Lounge. Herring holds Indiana Law's George P. Smith, II Distinguished Visiting Professorship Chair through Saturday, Sept. 15.

Distinguished in his field, Herring served as a Fellow in Law and Director of Studies at New Hall, Cambridge, and a Lecturer in Law at Christ Church, Oxford. He is presently a Fellow at Exeter College where he has been since 1999.

Herring's widely published research addresses criminal, family, and medical law issues. He is the author of leading texts in family and medical law, and his research in these areas covers hot-button topics including the regulation of pregnancy and enforced medical treatment; the medical and legal definition of sex; issues surrounding human cloning; and the intersections of family law and human rights. His criminal law work focuses on issues such as mistaken consent to sexual relations, crimes against corpses, and failures of parents to protect children from death.

## **FRIDAY, SEPTEMBER 14**

### **FLF to Host Informal Gathering**

The Feminist Law Forum (FLF) will hold an informal gathering at the home of Professor Susan Williams from 5 p.m. to 7 p.m. The event is a great way to get to know other law students as well as female professors. Information and directions will be available at the FLF meeting on Monday, Sept. 10.

## **SATURDAY, SEPTEMBER 15**

### **Protective Order Project Training**

As members of the Protective Order Project, students gain valuable clinical experience while assisting victims of domestic violence in the community. To become members, students must attend a mandatory training session from 9 a.m. to 5 p.m. in room 122. Lunch will be provided. If you have any questions, please e-mail [pop@indiana.edu](mailto:pop@indiana.edu).

## FACULTY NEWS

Professor **Jeannine Bell** presented, "Gaining Access and Getting the Story Straight: Methodological Issues in Qualitative Research on Race and Law," and participated in a roundtable at the Law and Society Association Annual Meeting in Berlin.

Professor **Ken Dau-Schmidt** presented "Teaching Labor Law" at the Annual Meeting of the Lawyer's Coordinating Committee, AFL-CIO, in Chicago. He also presented "Gender and the Legal Profession: The Michigan Law School Alumni Data Set 1967-2004" at the Law and Economics Colloquium at the University of California Berkeley School of Law. His article, "Governance of the Workplace: The Contemporary Regime of Individual Contract," 28 Comp. Labor L. & Pol. J. 313 (2007) (with T. Haley), was also recently published.

Professor **Joshua Fairfield** gave a paper, "The Magic Circle," for a panel at the ITechLaw annual conference in Chicago, and he spoke on a panel on virtual governance at the annual Digital Government Society meeting in Philadelphia.

On June 6, Professor **Rob Fischman** gave a talk titled "Federalism and Natural Resources Policy" at the University of Colorado Natural Resources Law Center's 25th anniversary conference.

The Administrative Office of the California Courts asked Professor **Charles Geyh** to assist it in a judicial selection reform project. The American Bar Association asked him to head a project to devise guidelines for judges on judicial disqualification, which he discussed in August as a panelist on a program at the ABA Annual meeting which in San Francisco.

In the summer, Professor **Leandra Lederman** published "Is a Server Crash Reasonable Cause for Late Filing?," 26 *ABA Tax Section NewsQuarterly* 12 (2007) (co-authored with Stephen W. Mazza). In August, she presented a paper on the federal income tax consequences of transactions within virtual worlds at the Southeastern Association of Law Schools meeting in Amelia Island, Fla. The panel was titled "Virtual Worlds: Public and Private Law in Cyberspace." Professor **Joshua Fairfield** was also a panelist.

Professor **Ajay Mehrotra** presented with co-authors Isaac Martin and Monica Prasad a paper titled, "Taxation in Perspective: Comparative and Historical Approaches to the New Fiscal Sociology" at a conference the authors co-organized at Northwestern University May 2 5, titled "The Thunder of History: Taxation in Comparative and Historical Perspective." He also presented his paper, "Lawyers, Guns & Public Monies: The U.S. Treasury, World War I, and the Administration of the Modern American Fiscal State," at the Northeast Regional Law & Society Conference held at Amherst College on May 21 22. He presented his paper "To Lay and Collect: American Governors and the Political Economy of State-level Tax Policy," at the Junior Tax Scholars Conference held at Boston University School of Law on June 8 9.

Librarian **Jennifer Morgan** wrote a textbook chapter for library and information science courses on law librarianship titled "Evolution of Government Documents, in Law Librarianship in the 21st Century" (Lisa Smith-Butler, et al., Eds.). Lanham, MD: Scarecrow Press (January 2007).

Professor **Christiana Ochoa** presented "Divesting from Dictators: Human Rights Protection and the Odious Finance Doctrine" at the University of Illinois College of Law International Criminal Process and Human Rights conference from Aug. 24-25.

## UPCOMING EVENTS

### Public International Law Expert Sands to Deliver Harris Lecture

**Philippe Sands**, professor of law at University College London and director of the Centre on International Courts and Tribunals in the Faculty, serves as Indiana Law's 2007 Addison C. Harris Lecturer. Join us for a public lecture, "Poodles and Bulldogs: the US, Britain and the International Rule of Law," at noon on Monday, Sept. 24, in the Moot Court Room. A reception will follow in the Faculty Lounge.

Sands' expertise is in public international law. In London, he is a key member of staff in the Centre for Law and the Environment and co-director of the Project on International Courts and Tribunals and a Risk Assessment and Biotechnology project in conjunction with New York University School of Law.

A practicing barrister, Sands has extensive experience litigating cases before the International Court of Justice, the International Tribunal for the Law of the Sea, the International Center for the Settlement of Investment Disputes, and the European Court of Justice. He frequently advises governments, international organizations, NGOs, and the private sector on aspects of international law. In 2003, he was appointed a Queen's Counsel.

He is the author of *Lawless World*, which addresses the Pinochet case; the creation of the International Criminal Court; U.S. abandonment of the Kyoto Protocol on global warming; the U.S.'s selectively multilateralist policy in relation to global free trade; and Guantanamo, Iraq, and Abu Ghraib.

### Recognizing Student Pro Bono Service

A reception to launch the annual student Pro Bono Awards will take place on Thursday, Sept. 27, from 4 p.m. to 6 p.m. in the third floor Faculty Lounge. We will honor third-year students **Alissa Cohen, Alex Kornya, Julie Miller, and Chloe Pullman**, who reported the highest number of pro bono hours during academic year 2006-07, our pilot year. The awards will be presented by special guest **Carl Pebworth**, a partner of Baker & Daniels LLP. Baker & Daniels generously sponsors this event and the award. Look for more information soon!

### Annual Oliver Winery Auction Sept. 27

The annual Oliver Winery silent auction fundraiser is Thursday, Sept. 27, from 7 p.m. to 10 p.m. Music, great deals, and wine are included in the ticket price. Tickets, which are \$15 for non-members and \$10 for members, are available during the lunch hour and from your friends in

Environmental Law Society. Membership dues can be paid at the same time as ticket purchase and are \$10 for the year.

Space is limited. For any questions, please contact Jay Heeter at [jayheeter@gmail.com](mailto:jayheeter@gmail.com).

### **Paths to Democracy: An International Conversation about Constitutional Stories**

During this conference, hosted jointly by Indiana Law's Center for Constitutional Democracy in Plural Societies and the IU Center for the Study of Global Change, distinguished constitutionalists representing six countries (Spain, South Africa, Burma, Liberia, Mexico, and Kyrgyzstan) come together to consider the dynamic processes of constitutional narrative. Join us on Thursday, Sept. 27, from 10:30 a.m. noon in the Moot Court Room for a public event following an initial day of constitutional storytelling. Conference participants will discuss the divergent national narratives as well as common themes across the constitutional stories. The audience will be invited to ask questions or offer comments on the presentations.

### **7th Annual PILF Co-ed Softball Tournament**

Come join the Public Interest Law Foundation (PILF) for its 7th annual co-ed softball tournament at Bryan Park Sept. 29. The daylong event begins at 9 a.m. This annual event raises money for the School's Loan Repayment Assistance Program. Grab your mitt and play no-holds-barred games of slow-pitch softball. All are welcome, and prizes will abound. To sign up, visit the PILF table during lunch starting Monday, Sept. 17. The cost is \$10 to play and \$5 to show up and eat. For more information, e-mail [morris27@indiana.edu](mailto:morris27@indiana.edu). All's fair in love, war, and softball.

## **ANNOUNCEMENTS**

### **2008 Jessup International Moot Court Competition**

Students are invited to apply for a spot on this year's Jessup International Moot Court Team. All applications welcome: both previous moot court experience and relevant course work will be considered, but neither is required. Priority will be given to upperclass students. Please submit a current resume and a statement of interest (covering relevant experience and reasons for interest in the competition) to Dean Len Fromm no later than Wednesday, Sept. 21. More information is available from the Dean of Student's office.

### **Research Assistants Needed**

Professor **Amy G. Applegate** is looking for a research assistant in the fall 2007 semester to help her prepare for a presentation on Women in the Legal Academy at the AALS Conference in January 2008. The research assistant may also be asked do some limited research in the family law and mediation areas. Qualifications for this research assistant include (1) strong research skills, (2) good work ethic, including reliability, and (3) expertise in power point presentations. Interested students should e-mail Professor Applegate at [aga@indiana.edu](mailto:aga@indiana.edu).

Professor **John Applegate** is seeking a research assistant for the fall semester to assist him with an environmental law project. Please e-mail him with a brief cover letter describing relevant background and interest, attaching your resume.

Professor **Sophia Goodman** is seeking to hire a research assistant for the fall semester. Applicants must have excellent research skills and be able to begin work immediately. Applicants must also have completed B542 and B543 (LRW I and II). If interested, please drop off a resume in hard copy in Goodman's mailbox in the mail room on the second floor of the main building.

Professor **Christiana Ochoa** is seeking a research assistant. Prior academic experience in philosophy, history, and international law as well as language skills in French and German (or any combination of the above) would be ideal, but are not essential. Interested applicants should submit resumes to Professor Ochoa's assistant, Lesley Coss, at [lcoss@indiana.edu](mailto:lcoss@indiana.edu).

## **Scheduling Events**

All e-mail about reserving classrooms must be sent to BL-LAW-EVENTS. Mail must be sent to the correct address, [bl-law-events](mailto:bl-law-events) (for Outlook users) or [bl-events-law@exchange.indiana.edu](mailto:bl-events-law@exchange.indiana.edu) (for non-Outlook users). Please include the date and time of event, the length of time room will be needed, the classroom requested, and the number of people attending the event. Requests should be sent at least one week before the event and should include the name of the person requesting, the organization planning the event, and an e-mail address. Confirmations will be sent by reply e-mail. Thank you!

## **Audio-Video Services**

Requests for AV services may be sent to Beth at [av@exchange.indiana.edu](mailto:av@exchange.indiana.edu). Please include the name of your group and the e-mail address of the contact person, a description of what you want to do, and the date, location, starting time, and duration of the event. Requests must be made at least 48 hours in advance and will be confirmed by e-mail.

## **ILA SUBMISSIONS**

The *Indiana Law Annotated (ILA)* is published every Monday while school is in session with news about the coming week. Information and articles for the *ILA* should be submitted to [ila@indiana.edu](mailto:ila@indiana.edu) by Thursday at noon for inclusion in Monday's edition. If you have questions about an item appearing in the *ILA*, please contact **Debbie O'Leary** (e-mail [devo99@indiana.edu](mailto:devo99@indiana.edu); phone 855-2426). To view past issues, visit [www.law.indiana.edu/publications/ila/](http://www.law.indiana.edu/publications/ila/).